

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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UNITED STATES OF AMERICA, )  
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                               )  
vs.                           )                                CRIMINAL ACTION  
                               )                               NO. 04-1617-CBS  
CHRISTIAN COLON, a/k/a     )  
Reinaldo Ortiz-Fantauzzi, )  
Defendant,                 )  
                               )

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ORDER ON THE GOVERNMENT'S MOTION FOR DETENTION  
June 2, 2004

SWARTWOOD, M.J.

I. Nature of the Offense and the Government's Motion

On February 3, 2004, a Criminal Complaint was filed, charging Christian Colon, a/k/a Reinaldo Ortiz-Fantauzzi ("Mr. Colon"), with passport fraud, in violation of 18 U.S.C. §1542.

Mr. Colon was arrested on May 18, 2004 and at his initial appearance on that same date, he was advised of his right to a preliminary examination in accordance with Fed. R. Crim. P. 5.1 and the Government moved for a detention hearing in accordance with 18 U.S.C. § 3142((f) (2) (A) (risk of flight)).

On June 1, 2004, a consolidated probable cause/detention hearing was commenced and at that, time Mr. Colon waived his right to a probable cause hearing and assented to an Order of Detention, but reserved his right to a detention hearing in the future.

V. Order of Detention Pending Trial

In accordance with the foregoing memorandum,

IT IS ORDERED:

1. That Mr. Colon be committed to the custody of the Attorney General or his designated representative, for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
2. That Mr. Colon be afforded a reasonable opportunity for private consultation with counsel; and
3. On order of a court of the United States or on request by an attorney for the Government, the person in charge of the corrections facility in which Mr. Colon is detained and confined shall deliver Mr. Colon to an authorized Deputy United States Marshal for the purpose of any appearance in connection with a court proceeding.

RIGHT OF APPEAL

THE PERSON OR PERSONS DETAINED BY THIS ORDER MAY FILE A MOTION FOR REVOCATION OR AMENDMENT OF THE ORDER PURSUANT TO 18 U.S.C. § 3145(b) .

/S/CHARLES B. SWARTWOOD, III  
CHARLES B. SWARTWOOD, III  
MAGISTRATE JUDGE